

THE JACOBS REPORT

**GILDA Z. JACOBS
MICHIGAN SENATE
Assistant Democratic Floor Leader
FOURTEENTH DISTRICT**

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**Contact: Matt Levin
(517) 373-7888**

FDA PLAN B OK PUTS FOCUS ON STATE

House Bill Bans Over-the-Counter “Morning After” Pill

The U.S. Food and Drug Administration (FDA) ruled this week that women 18 years of age or older can purchase the “morning after” pill without a prescription. Females younger than 18 are still required to obtain a prescription for the emergency contraceptive.

House Bill 5311, introduced by Rep. John Stahl (R-North Branch), would disallow that process in Michigan. The piece of legislation, which has been sitting in the House Health Policy Committee since last October, has not seen action since committee testimony was taken in June.

Now that the feds have lifted restrictions on the Plan B pill, supporters of HB 5311 are calling for action. HB 5311 would ban someone in Michigan from getting the pill over the counter without a prescription, essentially re-establishing the old FDA policy.

Sarah Scranton, executive director of Planned Parenthood Affiliates of Michigan, said that the FDA decision, “is a long overdue victory for women's health.”

Rep. Stahl disagreed. “This is appalling,” he said. “Self medicating can have adverse effects.”

Rep. Ed Gaffney (R-Grosse Pointe Farms), chair of the House Health Policy Committee, is considering a workgroup on the bill, though Rep. Stahl said that he has enough votes to favorably report the bill out of committee.

CRC MANDATES CONTRACEPTIVE EQUITY

Commission Cites Civil Rights Violation

In a surprise declaratory ruling this week, the Michigan Civil Right Commission (CRC) ruled that employers are required to provide contraceptives as a component of an otherwise comprehensive health care package.

Predictably, pro-choice forces applauded the decision, while the Catholic Conference and Right to Life voiced their objections.

In the ruling, the CRC held that the Elliott Larsen Civil Rights Act (ELCRA) “clearly prohibits” employers from treating women differently based on sex. According to the CRC, excluding prescription contraceptive coverage would do exactly that.

“By issuing this declaratory ruling, the Commission took a major step forward toward promoting the basic health care needs of women in Michigan and ending gender discrimination in healthcare coverage,” said Rebekah Warren, executive director of MARAL Pro-Choice Michigan.

The Michigan Chamber of Commerce said that the CRC was attempting to over-reach into the Legislature's territory.

“The Commission has decided to take it upon themselves to make laws on this issue when the Legislature has had bills that would do the same thing, but haven't moved,” Wendy Block said. “They've kind of usurped the legislative power.”

The Michigan Catholic Conference said the CRC action interferes with religious freedom. “It's our belief that the CRC ruling is a very limited and problematic interpretation of religious freedom,” said Dave Maluchnik, communications director for the Michigan Catholic Conference.

Ed Rivet, of Right to Life of Michigan, said that the declaratory ruling had no effect, that it was merely a statement of opinion by the CRC. “There is no law that says you have to, nor is there a court ruling that says you have to,” Rivet contended. “It's just their opinion.”

At this time, there is no court challenge to the Commission's ruling.

REGISTER YOUR KIDS' E-MAIL ADDRESSES

Protect them from Illegal Electronic Messages

With children heading back to school and increasingly using computers to access the Internet, the Michigan Public Service Commission (MPSC) is reminding parents and school administrators that the Protect MI Child Registry is a way to reduce illegal electronic messages sent to children.

Michigan's Protect MI Child Registry guards children from unwanted and inappropriate electronic messages. To date, parents and others have registered over 120,000 e-mail addresses, instant messenger IDs, mobile text messages, and fax numbers that children have access to.

“As parents prepare their children to go back to school, they should consider using the Protect MI Child Registry,” said MPSC Chairman J. Peter Lark. “Many children now routinely use computers at home and at school, leaving them vulnerable to receiving electronic messages that promote products and services that are illegal for them. The Protect MI Child Registry is a tool available to help shield children from these inappropriate messages. Registration is free and easy on the Protect MI Child Web site: www.michigan.gov/protectmichild.”

Registered “contact points” are protected by law from receiving messages that promote products or services that are legally prohibited for children. Examples include pornography, tobacco, gambling, alcohol, and illegal drugs. Senders of prohibited messages are required to remove registered contact points from their electronic mailing lists within 30 days.

If a registered “contact point” receives a prohibited message, a complaint may be filed by going to www.Michigan.gov/protectmichild. The Michigan Attorney General’s office is responsible for enforcement and investigation. A first violation is a misdemeanor; subsequent violations are felonies. Civil penalties may also be sought.

On August 10, the Michigan Attorney General announced he has filed criminal and civil charges against RR Media, Inc. of Cathedral City, Calif. and Data Stream Group, Inc. of Bonita Springs, Fla. for allegedly violating the law. The companies may be subject to fines of up to \$10,000 and other penalties.

The MPSC is an agency within the Michigan Department of Labor & Economic Growth.

WIT, WISDOM, ETC . . .

Quotables

“Everything that irritates us about others can lead us to an understanding of ourselves.”

-Carl Jung, quoted in the American Prospect

“Effective leaders know that you first have to touch people’s hearts before you ask them for their hand.”

-Frederick Douglas

Quote of the Week: Arthur Schopenhauer

“Talent hits at target no one else can hit; genius hits a target no one else can see.”

All Michigan legislation can be tracked at <http://www.legislature.michigan.gov/>.

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State Senator Gilda Jacobs represents the 14th Senate District, which includes Beverly Hills, Bingham Farms, Farmington, Farmington Hills, Ferndale, Franklin, Hazel Park, Huntington Woods, Lathrup Village, Oak Park, Pleasant Ridge, Royal Oak Township, Southfield, and Southfield Township. She is the Minority Vice Chair of the Families & Human Services Committee and the Economic Development, Small Business & Regulatory Reform Committee. She also serves on the Government Operations and Health Policy Committees.

Constituents of the 14th District may contact Senator Jacobs at sengjacobs@senate.michigan.gov or toll-free at 1-888-937-4453.

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Matthew J. Levin
Legislative Director
Senator Gilda Z. Jacobs
P.O. Box 30036
Lansing, MI 48909-7536
(517) 373-7888
mlevin@senate.michigan.gov